

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 17TH APRIL 2007 / 27TH CHAITHRA 1929

Bail Appl..No. 2344 of 2007()

CC.73/2007 OF THE COURT OF THE JUDICIAL MAGISTRATE OF
FIRST CLASS – I, PERINTHALMANNA

PETITIONER/ACCUSED

JAFFER, S/O.RAYINKUTTY, KOTTAKKARA
HOUSE, PAZHAMALLUR P.O.,
KOOTILANGADI VIA, MALAPPURAM DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT: COMPLAINANT

STATE OF KERALA, THROUGH THE
SUB INSPECTOR OF POLICE, KOLATHUR POLICE
STATION, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.FIROZ KHAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17/04/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.T. SANKARAN, J.

B.A. NO. 2344 OF 2007

Dated this the 17th day of April, 2007

O R D E R

This is an application filed under Section 438 of the Code of Criminal Procedure for granting anticipatory bail.

2. The petitioner is the accused in C.C.No.73 of 2007, on the file of the Court of the Judicial Magistrate of the First Class - I, Perinthalmanna. C.C.No.73 of 2007 was registered after splitting up the case from C.C.No.188 of 2004, in which the petitioner was one of the accused persons. The offence alleged was under Section 153(A)(2) of the Indian Penal Code. The allegation is that the petitioner and others, who belong to Muslim community, had entered into the compound of a Siva temple. Accused Nos.2 and 3 stood trial in C.C.No.188 of 2004 and they were acquitted by judgment dated 1.2.2007. All the prosecution witnesses turned hostile and nobody supported the prosecution

case. It is stated that warrant is issued against the petitioner.

3. In the facts and circumstances of the case, there will be a direction to the petitioner to appear before the Court of the Judicial Magistrate of the First Class-I, Perinthalmanna within ten days and move an application for bail. If such an application is filed, the learned Magistrate shall dispose of the same on the same day on which it is filed.

The Bail Application is disposed of.

(K. T. SANKARAN)
Judge

ahz/